## REMARKS

Claim 1 calls for forwarding a software package, together with a list of addressees, to a first processor-based system. The first processor-based system is then enabled to "automatically" forward said software package, together with at least part of the list of addressees, to a second processor-based system. The second processor-based system must be on the list of addressees.

In other words, a software package is sent to a first processor-based system, together with a list of addressees. Automatically, the first processor-based system then sends the software package on to at least one second processor-based system that is on the list of addressees.

The office action concludes obviousness based on the following analysis:

> It would have been obvious to a person having ordinary skill in the art to modify the software distributing system disclosed by Shepherd to include the recipient address list as taught by Kohler so that the software package can be sent one time to multiple recipients instead of being sent multiple times to multiple recipients.

See office action, page 3.

However, assuming, for argument purposes only, that the above statement is absolutely true, it still fails to provide the rationale to meet the claim limitations and, in fact, effectively teaches away from those claim limitations. The argument is that it would be obvious to include a list of addresses so that the package can be sent once to all the addresses. But that plainly is not the import of the claimed invention set forth in claim 1. In claim 1 it is stated that the package with the list of addressees is sent to a first processor-based system. Then that first processor-based system automatically resends the package to one of the addressees on the list of addressees.

In effect, the rationale of the system claimed is the opposite of the rationale set forth in the office action. In effect, the office action suggests that it would be obvious to broadcast the package to a large number of addresses at one time. The claims suggest a peer to peer distribution system in which the package is sent to a first processor-based system, together with a list of addressees, one of whom then sends it on to a second processor-based system.

The processing burden on the head end or initial distributor is much higher with the system proposed in the rationale set forth in the office action. By enabling the second processor-
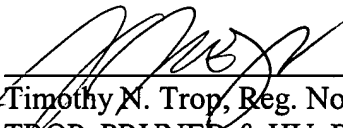
based system to take on some of the burden of distribution, the load on the initial processor-based system may be substantially reduced.

Plainly, there is no rationale in the cited art to reach the claimed invention. In fact, cited rationale to combine directly suggests away from the claimed invention.

Therefore, for at least these reasons, claim 1 patentably distinguishes over the art of record. On a corresponding analysis, the other claims should likewise distinguish.

Respectfully submitted,

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